

PATENT
(5580-01102/BP1744CON)
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application. No: unknown §
Filed: Herewith §
Inventor(s): §
 James B. Keller §
 Chun H. Ning §
 Kwong-Tak A. Chui §
 Mark D. Hayter §
Title: ADAPTIVE RETRY §
 MECHANISM §
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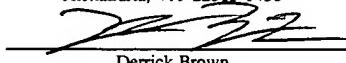
Examiner: unknown
Group/Art Unit: unknown
Atty. Dkt. No: 5580-01102

CERTIFICATE OF EXPRESS MAIL
UNDER 37 C.F.R. §1.10

"Express Mail" mailing label number: EV 318247277 US
DATE OF DEPOSIT: July 29, 2003

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. §1.10 on the date indicated above and is addressed to:

Commissioner for Patents
M/S Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450



Derrick Brown

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
M/S Patent Application
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant requests consideration of the references listed on the attached Form PTO-1449 and/or the additional information identified below in paragraph 3. The references listed on the Form PTO-1449 were previously cited in application serial no. 09/670,362 to which the captioned application is seeking priority under 35 U.S.C. § 120; therefore, a copy of each reference is not enclosed.

1. This Information Disclosure Statement is submitted:

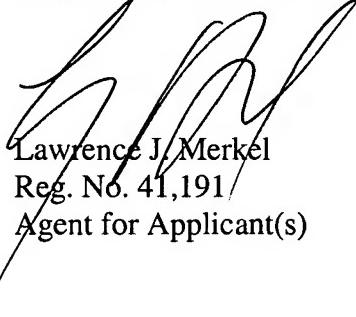
- a. within 3 months of the filing date of the above identified application, or within 3 months of entry into National stage prosecution of an International application, or before the mailing date of the first Office Action on the merits, and thus no certification and/or fee is required.

- b. after the events of above paragraph 1a and prior to the mailing date of a final Office Action or Notice of Allowance, and thus:
- the certification of paragraph 2 below is provided, or
 a fee authorization for \$180.00 is enclosed.
- c. after the mailing date of a final Office Action or a Notice of Allowance and prior to payment of the issue fee, and thus:
- the certification of paragraph 2 below is provided, and
 a fee authorization for \$180.00 is enclosed.
2. It is hereby certified:
- that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or
- that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in § 1.56 (c) more than three months prior to the filing of the Statement.
3. Consideration of the following additional information (including any co-pending or abandoned U.S. applications, prior uses and/or sales, etc.) is requested:
- pp. 1-2 entitled "Background of the Invention" from the specification of the captioned application.
4. For each non-English language reference listed on the attached Form PTO-1449:
- reference is made to an English language translation submitted herewith, and/or
- reference is made to a foreign patent office search report (in the English language) submitted herewith, and/or
- reference is made to an English language translation of a foreign patent office search report submitted herewith, and/or
- reference is made to the concise explanation contained in the specification of the present application at page(s) _____, and/or

- reference is made to the concise explanation set forth below:
- 5. Applicant also offers the following comments for the Examiner's consideration:
- 6. Also enclosed is a copy of a foreign search report citing these references.
- 7. The listed documents were brought to the attention of the Applicant(s) after payment of the issue fee in the captioned case. The documents were cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. Applicant(s) request this Information Disclosure Statement and attached Form PTO-1449 be placed in the file of the captioned application.
- 8. Applicant(s) requests that the Information Disclosure Statement and attached Form PTO-1449 and references, which are being filed before the grant of the patent and pursuant to 37 C.F.R. § 1.97(i), be placed in the file of the captioned application.

If any required fees are missing, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C.. Deposit Account No. 50-1505/5580-01102/LJM.

Respectfully submitted,



Lawrence J. Merkel
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Agent for Applicant(s)

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Date: July 29, 2003

EXAMINER:

DATE CONSIDERED:

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to the patent owner.